

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
AT CHARLESTON**

CASE NO.: 2:24-cv-06750-DCN

BRIAN R. DRESSLER,

Plaintiff,

v.

CHG, LLC,

Defendant.

COMPLAINT FOR COPYRIGHT INFRINGEMENT

(INJUNCTIVE RELIEF DEMANDED)

Plaintiff BRIAN R. DRESSLER by and through his undersigned counsel, brings this Complaint against Defendant CHG, LLC for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff BRIAN R. DRESSLER ("Dressler") brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Dressler's original copyrighted Work of authorship.

2. Dressler owns a full service photography business based in Columbia, South Carolina called Dressler Photography. Dressler established his business in 1979 and has won numerous local and regional South Carolina photography "Addy" awards, local "In Show" awards, and a prestigious "Andy" award from the New York Directors Club. He specializes in commercial photography and has been featured in prominent marketing campaigns and publications nationwide, including AT&T, Sears, and many more.

3. Defendant CHG, LLC (“CHG”) is a holding company for a conglomerate of restaurants curated by entrepreneur Osama "Sam" Mustafa. CHG is an acronym for Charleston Hospitality Group which is currently comprised of eleven restaurants including Eli's Table, John King Grill and Dueling Piano Bar, Queology, Toast! of Charleston, Toast! All Day on King, Toast! All Day Summerville, Toast! of West Ashley, Toast! All Day Mt. Pleasant, Toast! All Day on Coleman, Honkytonk, and Republic of Pizza. At all times relevant herein, upon information and belief, CHG owned and operated the website located at the internet URL www.charlestonhospitalitygroup.com (the “Website”).

4. Dressler alleges that CHG copied Dressler’s copyrighted Work from the internet in order to advertise, market and promote its business activities. CHG committed the violations alleged in connection with Defendant's business for purposes of advertising and promoting sales to the public in the course and scope of the CHG's business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. CHG is subject to personal jurisdiction in South Carolina.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, CHG engaged in infringement in this district, CHG resides in this district, and CHG is subject to personal jurisdiction in this district.

DEFENDANT

9. CHG, LLC is a South Carolina Limited Liability Company, with its principal place of business at 1114 Morrison Drive, Charleston, South Carolina, 29413, and can be served

by serving its Registered Agent, Registered Agent Solutions, Inc., 317 Ruth Vista Road, Lexington, SC 29073.

THE COPYRIGHTED WORK AT ISSUE

10. In 2019, Dressler created the photograph entitled “012819_051,” which is shown below and referred to herein as the “Work”.



11. Dressler registered the Work with the Register of Copyrights on February 28, 2019 as part of a group registration. The Group Registration was assigned registration number VAu 1-351-502. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. At all relevant times Dressler was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY CHG

13. CHG has never been licensed to use the Work at issue in this action for any purpose.

14. On a date after the Work at issue in this action was created, but prior to the filing of this action, CHG copied the Work.

15. On or about October 18, 2023, Dressler discovered the unauthorized use of his Work on the Website in a blog post dated June 4, 2021 entitled “Behind the Scenes at CHG.”

16. As of October 28, 2024, the unauthorized use of the Work continues to be live on the Website.

17. CHG copied Dressler's copyrighted Work without Dressler's permission.

18. After CHG copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its restaurant businesses.

19. CHG copied and distributed Dressler's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

20. CHG committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

21. Dressler never gave CHG permission or authority to copy, distribute or display the Work at issue in this case.

22. Dressler notified CHG of the allegations set forth herein on January 4, 2024. To date, the parties have failed to resolve this matter.

COUNT I
COPYRIGHT INFRINGEMENT

23. Dressler incorporates the allegations of paragraphs 1 through 22 of this Complaint as if fully set forth herein.

24. Dressler owns a valid copyright in the Work at issue in this case.

25. Dressler registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

26. CHG copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Dressler's authorization in violation of 17 U.S.C. § 501.

27. CHG performed the acts alleged in the course and scope of its business activities.

28. Defendant's acts were willful.

29. Dressler has been damaged.

30. The harm caused to Dressler has been irreparable.

WHEREFORE, the Plaintiff BRIAN R. DRESSLER prays for judgment against the Defendant CHG, LLC that:

a. CHG and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. CHG be required to pay Dressler his actual damages and Defendant's profits attributable to the infringement, or, at Dressler's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Dressler be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Dressler be awarded pre- and post-judgment interest; and

e. Dressler be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Dressler hereby demands a trial by jury of all issues so triable.

Dated: November 21, 2024

Respectfully submitted,

/s/ Hunter S. Freeman

HUNTER S. FREEMAN

Bar Number: ****

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